

1 **SAO**
2 **KEVIN R. HANSEN, ESQ.**
3 Nevada Bar No. 6336
4 **AMY M. WILSON, ESQ.**
5 Nevada Bar No. 13421
6 **LAW OFFICES OF KEVIN R. HANSEN**
7 5440 West Sahara Avenue, Suite 206
8 Las Vegas, Nevada 89146
9 Tel: (702) 478-7777
10 Fax: (702) 728-2484
11 kevin@kevinrhansen.com
12 amy@kevinrhansen.com
13 *Attorneys for Plaintiff*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 SILVIA RODRIGUEZ, an individual,
11 Plaintiff,

Case No.: 2:19-CV-00244-JCM-VCE

12 vs.

13 PNS STORES, INC., a foreign corporation,
14 d/b/a BIG LOTS STORE #4516, DOE
15 EMPLOYEES I through X, and ROE
16 BUSINESS ENTITIES I through X, inclusive.

17 Defendants.

18 **STIPULATION AND ORDER FOR EXTENTION**

19 **OF REBUTTAL EXPERT DISCLOSURES ONLY**

20 **(SECOND REQUEST)**

21 Plaintiff SILVIA RODRIGUEZ, and Defendant, PNS STORES, INC by and through
22 their undersigned attorneys, submit to the Court the following Stipulation and Order to Extend
23 Rebuttal Expert Disclosures thus modifying the Discovery Plan and Scheduling Order pursuant
24 to LR IA 601, LR 26-4(a) and Court Order Document No. 10.

25
26 ///

27
28 ///

1 **I. Local Rule 6-1**

2 Under LR IA 6-1(a) every stipulation to extend time must inform the court of any
3 previous extension granted and state the reason for the extension requested.

4 **A. The Requirement of Local Rule 6-1 Are Satisfied**

5 This is the second request for extension filed by the parties. This extension is
6 requested due to an issue that arose with Plaintiff's Medical Rebuttal Expert being unable to
7 timely produce their report according to the current Discovery Schedule. Defendant PNS
8 STORES, INC has agreed through its undersigned attorney to stipulate to extend the Rebuttal
9 Expert Disclosure out sixty (60) days from today; Defendant does not waive its right to object to
10 Plaintiff's disclosed Experts.

11 **II. Local Rule 26-4(a)**

12 Under LR 26-4(a) a statement specifying the Discovery completed:

13 Both Plaintiff and Defendant have exchanged their initial documents and witness
14 disclosures, with supplements thereto. Both Plaintiff and Defendant have provided responses to
15 written discovery requests. Plaintiff's deposition has been taken. Initial Expert Disclosures have
16 been exchanged.

17 **III. Local Rule 26-4(b)**

18 Under LR 26-4(b) a specific description of the Discovery that remains to be
19 completed:

20 This Stipulation is as to Rebuttal Expert Disclosures only. Plaintiff's Medical
21 Rebuttal Expert is unable to complete his report until December 11, 2019. That is the sole basis
22 of this stipulated extension and does not impact other dates from the Scheduling Order.

23 ///
24

1 **IV. Local Rule 26-4(c)**

2 Under LR 26-4(c) the reasons why Discovery was not completed within the time
3 limits set by the Discovery Pan:

4 Plaintiff's Counsel has worked diligently to obtain the Medical Rebuttal Expert
5 Report in a timely fashion. Plaintiff's Counsel was informed just last week that the Doctor would
6 need an additional six weeks to complete his record review and write his report. Plaintiff's
7 Counsel was not made aware of this time issue until it was too late to meet the time limit of the
8 current Discovery Plan.
9

10 **V. Local Rule 26-4(d)**

11 Under LR 26-4(d) a proposed schedule for completing all remaining Discovery:

- 12 (i) Discovery cutoff dates: Discovery cutoff date of November 22, 2019 to remain, with
13 the exception as to Rebuttal Expert Witness Disclosure noted below.
14 (ii) Rebuttal Expert Witness Disclosure from October 14, 2019 to December 13, 2019.
15 (iii) Submittal of the Joint Pre-Trial Order (if no Dispositive Motions are filed) to remain
16 January 10, 2020.
17 (iv) Final date to file Dispositive Motions to remain December 11, 2019.

18 ///
19

20 ///
21

22 ///
23

24 ///
25

26 ///
27

28

LAW OFFICES OF KEVIN R. HANSEN
5440 W. Sahara Ave., Ste 206
Las Vegas NV 89146
Tel (702) 478-7777 Fax (702) 728-2484

Therefore, good cause existing, counsel jointly request that this Honorable Court approve the proposed extended Rebuttal Expert Disclosure date.

DATED this 14th day of October, 2019.

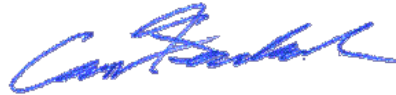
**LAW OFFICES OF
KEVIN R. HANSEN**

BRANDON SMERBER LAW FIRM

/s/ Amy M. Wilson, Esq.
Kevin R. Hansen, Esq.
Nevada Bar No. 6336
Amy M. Wilson, Esq.
Nevada Bar No. 13421
5440 West Sahara Avenue, Suite 206
Las Vegas, Nevada 89146
T: (702) 478-7777
F: (702) 728-2484
Attorneys for Plaintiff
SILVIA RODRIGUEZ

/s/ Justin W. Smerber, Esq.
Lew Brandon, Jr., Esq.
Nevada Bar No. 5880
Justin W. Smerber, Esq.
Nevada Bar No. 10761
139 E. Warm Springs Rd.
Las Vegas, NV 89119
T: (702) 380-0007
F: (702) 380-2964
Attorneys for Defendant
PSN STORES, INC.

IT IS SO ORDERED.



U.S. Magistrate Judge

Dated: 10-15-2019